

# MONTGOMERY COUNTY DEPARTMENT OF FIRE AND RESCUE SERVICES

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DATE

March 11, 1992

DIRECTOR APPROVAL

DISPOSITION VEHICLE ACCIDENT/INCIDENT REVIEW AND

PURPOSE

- 1.0. To provide personnel with clear guidelines as to the procedures that must be followed after an accident or incident occurs.
- 1.1 To provide the Accident/Incident Review Committee with guidelines to ensure an equitable, consistent, and timely accident or incident review process.

#### APPLICABILITY

- 2.0 All Department of Fire and Rescue Services employees.
- 2.1 This policy was developed in cooperation with International Association of Firefighters Local 1664.

#### DEFINITIONS

- 3.0 Accident That occurrence in a sequence of events involving a motor vehicle which produces unintended personal injury, death, or property damage regardless of fault, nature, and extent of personal injury or property damage. This includes occurrences resulting in no property damage, but injuring persons inside or on the vehicle.
- 3.1 Accident/Incident Information Official information about the accident or incident which may be obtained from police records, Accident/Incident Investigator's Reports, pictures of the areas surrounding the accident or vehicles involved in the accident, statements from operators, witnesses, and any additional reports or evidence as required.
- 3.2 Accident/Incident Investigators Individuals trained and certified in the skills and procedures of vehicle accident and incident investigation and reporting as defined in DFRS Policy #605, Vehicle Accident/Incident Investigation and Reporting.
- 3.3 Accident/Incident Review Committee (AIRC) A group of four persons appointed by the Director to review accidents and incidents involving DFRS personnel to determine their preventability and to assess points. The committee consists of:

DFRS Safety Officer DFRS Deputy Safety Officer Representative of the Bargaining Unit Representative of the Division of Risk Management



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Three of the members of the AIRC will vote to assess penalty points operators for accidents and incidents. These three voting members shall

A representative of the Department

A representative of the Bargaining Unit

A representative of Risk Management

Members of the AIRC shall serve a term determined by the Director. Accident/Incident Review Committee serves at the discretion of the Director.

- Destroyed Damage so extensive as to be irreparable, requiring 3.4 replacement of the object.
- Incident Any unusual, unplanned occurrence that does not result in 3.5 immediate property damage or personal injury, but could produce a claim against the County or a fire and rescue corporation at a later date. The occurrence of an incident shall be based on the submission of a claim against the County or a Corporation, or a complaint entered regarding hazardous or inappropriate driving.
- Moderate Damage which requires repairing to restore function in excess 3.6 of \$50.
- Negligence Failure to exercise that degree of care which a person of 3.7 prudence would exercise under the same circumstances.
- Non-Collision Accident An accident that occurred without impact or 3.8 contact of the vehicle with any object, vehicle, or person.
- Non-Preventable An accident or incident which occurred even though the operator used the principles of defensive driving and did everything reasonable to prevent any/or avoid the accident or incident.
- 3.10 Operator The driver of a vehicle, including the tillerman on tiller equipped apparatus.
- 3.11 Operator's Aide A person outside of, or off of the vehicle, providing necessary guidance to the operator of a vehicle.



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3.12 Penalty Points - Points assessed by the Accident/Incident Review Committee based on the preventability and severity of the incident. Preventability penalty points will be assessed on the basis of the preventability of the incident. Severity penalty points will be assessed on the basis of the severity of the incident. Preventability penalty points and severity penalty points will be added to establish a total penalty assessment for an accident/incident. Penalty points will remain on an employee's record for a period of two years. After that period, the penalty points will be erased from the employee's record. The fact that the employee was involved in accidents or incidents, however, will remain on the record permanently.

- 3.13 Preventable An accident or incident which occurred because the operator failed to do everything reasonable and/or did not use the principles of defensive driving to prevent and/or avoid the accident or incident.
- 3.14 Principles of Defensive Driving Committing no driving errors and making allowances for the lack of skill or improper driving practices of others. This includes adjusting driving to compensate for unusual weather, road, and traffic conditions, and not being drawn into an accident by the unsafe actions of other drivers or pedestrians. By being alert to accident or incident inducing situations, a driver practicing the principles of defensive driving recognizes the need for preventive actions in advance and takes the necessary precautions. He/she recognizes when it is necessary to slow down, stop, or yield the right of way to avoid involvement in an accident or incident.
- 3.15 Quality Points For every full three month period of preventable accident free driving since January 1, 1988, the operator will earn one (1) quality point. Quality points can be accumulated up to a total of 20 points. At the operator's option, accumulated quality points may be applied to lower the assessment on a subsequent preventable accident. They can be applied to one preventable accident per 12 month period to lower the point assessment of the Accident Review Committee and therefore could lessen the recommended disciplinary action.
- 3.16 <u>Superficial</u> Damage which detracts from the appearance of the objects or causes the objects to depreciate in value, but does not necessitate repair to restore object's function, or costs less than \$50 to restore appearance.

#### POLICY

4.0 All accidents and incidents reported in accordance with the procedures established in the DFRS Policy #605, Vehicle Accident/Incident Investigation and Reporting, will be reviewed by the Accident/Incident Review Committee in accordance with the provisions of this policy.



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#### RESPONSIBILITIES

- 5.0 The Accident/Incident Review Committee is responsible for:
  - a. reviewing accidents and incidents on a monthly basis;
  - b. notifying employees of the date and location of the AIRC meeting and the time at which their case will be considered. Employees should be made aware of their right to voluntarily appear before the AIRC;
  - c. reviewing and considering all relevant accident/incident information, including statements from the driver/operator and any witnesses appearing before the AIRC;
  - reviewing all accidents and incidents individually and determining their preventability and severity. The Committee will report its determination in writing to the operator's immediate supervisor, and the Director. The determination of the Accident/Incident Review Committee is final with regard to both the finding of preventability of an accident/incident and the assessment of preventability penalty points and severity penalty points;
  - e. assessing preventability and severity penalty points using the penalty point system as provided in Section 6.0;
  - f. recommending changes and improvements which will improve driver and passenger safety or prevent accidents;
  - maintaining records of accidents/incidents which have been reviewed by the Committee, including the reports relating to the Committee's determination; and
  - notifying the operator, prior to the recommendation of any disciplinary action, of his or her total penalty point accumulation, and requesting that the operator furnish the total accumulated quality points and his or her desire to apply those quality points. The AIRC must verify the total accumulation of quality points furnished by the operator.
- The Accident/Incident Investigator is responsible for: 5.1
  - thoroughly investigating each accident and submitting all accident/incident information to the AIRC in accordance with the "Accident Investigation and Reporting" Policy #605; and



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 assuring that a determination is reached by the AIRC for each accident or incident by reviewing the determination provided periodically by the AIRC.

- 5.2 The employee involved in the incident is responsible for:
  - a. notifying the AIRC of his/her intention to appear at the meeting of the Accident Incident Review Committee to provide explanation beyond that provided in the accident/incident information and to answer questions about the accident or incident;
  - arranging for representation by the bargaining unit, when desired.
     The representative of the bargaining unit must not be a part of the Accident/Incident Review Committee considering the case;
  - arranging to have witnesses appear, on a voluntary basis, at the AIRC meeting to provide testimony pertinent to the case; and
  - d. notifying the Safety Officer within thirty days of his or her desire to apply quality points to reduce the accumulation of penalty points.
- 5.3 The DFRS Fleet Manager is responsible for:
  - a. coordinate the repair of County owned vehicles assigned to corporations if the vehicle is still under warranty with the original manufacturer; and
  - review all reports of damage or accidents to determine if design specification changes are required and report to the Apparatus Specifications Committee if required.
- 5.4 The Department of Fire and Rescue Services Training Officer is responsible for providing the necessary remedial training to operators as recommended by the AIRC.
- 5.5 The Department of Fire and Rescue Services Safety Officer is responsible for developing, implementing, and maintaining a safe driver incentive program that fairly and equitably rewards safe drivers.

#### PROCEDURE

- 6.0 The Accident/Incident Review Committee will:
  - normally meeting during the second week of each month to review accidents or incidents which occurred in the previous month. The Committee may meet more frequently, when necessary;



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- review and decide on the appropriate resolution of the accident incident within 60 calendar days after the meeting in which it initially reviews the accident/incident information concerning the accident or incident;
- c. assign preventability and severity penalty points for each incident as follows:
  - Preventability Penalty Points are to be based on the incident or accident being preventable and are assigned as follows:

O Points -

Non-Preventable: the driver or

operator was not at fault.

2 Points -

Any incident found to be preventable. The DFRS operator failed to do everything reasonable to prevent and/or avoid a motor vehicle incident or

accident.

4-8 Points -

Any incident found to be preventable where the DFRS operator failed to do everything reasonable to prevent or avoid a motor vehicle accident and the operator directly violated a specific Department policy or procedure.

11 Points -

Any incident found to be preventable where the DFRS operator exhibited negligence in the operation of the vehicle.

Where more than one operator is involved in the incident or accident, or operator's aides are utilized, preventability points may be assessed to one or both operators and any or all of the operator's aides as the AIRC deems appropriate.

- Severity Penalty Points are to be based on the severity and magnitude of the entire incident and assigned for each preventable incident or accident as follows:
  - O Points -

No injury or damage to vehicles or property resulting from the incident or accident.



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2 Points - Any non-collision accident involving only personal injury.

2 Points - Damage only to any involved vehicle or superficial damage to property without any personal injury.

6 Points - Moderate damage to property or functional damage to any involved vehicle or involving any extent of personal injury.

8 Points - Disabling (destroyed) damage to any involved vehicle, any extent of personal injury, or involving a pedestrian.

In accidents or incidents involving more than one operator on a single vehicle (such as tiller trucks), or an operator and an operator's aide, the full total of severity points may assessed to each person.

- e. add the preventability and severity penalty points to establish the total penalty point assessment for the accident or incident;
- f. notify the operator of the assigned penalty points and ask the operator to provide the total of his or her accumulated quality points, verify the total number of quality points accumulated by the operator, and provide the operator with the opportunity to apply his or her quality points to lower the total accumulation of penalty points and subsequent disciplinary action;
- g. recommend disciplinary action based on the number of penalty points accumulated by an operator or the number of preventable accidents occurring within a 12 month period, whichever results in greater disciplinary action, as follows:

Oral Admonishment - 4 to 9 accumulated penalty points.

Written Reprimand - 10 to 18 accumulated penalty points, or three preventable accidents in 12 months.

Within Grade Reduction - 19 to 35 accumulated penalty points or four preventable accidents in 12 months.



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Dismissal -

36 or more accumulated penalty points or five preventable accidents in 12

- h. Recommend that any driver or operator having a preventable accident or incident shall receive counseling, instructions, remedial training, suspension from driving, or recertification as a vehicle operator as deemed appropriate; and
- i. Make recommendations for progressive disciplinary action based upon prior disciplinary action given to the operator, whether it is the result of points or frequency.
- j. The Director in his sole descretion may require a review, reconsideration, and/or reevaluation of any recommendation of the AIRC by the AIRC or other body. The Director in his sole descretion may also increase or decrease the severity of any penalty recommended, with or without the above process.



# DEPARTMENT OF FIRE AND RESCUE SERVICES MONTGOMERY COUNTY, MD.

# ACCIDENT/INCIDENT REVIEW COMMITTEE SUMMARY OF DETERMINATION

Driver Name:	Position:
Reference Number:	
*	
Driver's Comments:	
Determination: Preventable	Non-Preventable
Reason:	
*	
Additional Comments/Recommendations:	
	D-4
Signature: Chairman, Accident/Incident Review Committee	Date:
Representative, Risk Mgmt.:	
IAFF - 1664 Representative:	
•	+
I acknowledge receipt of a copy of the Accident Rev	view Committee determination
Signature:	Date:
AD92042	